

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY


(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

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Applicant's or agent's file reference 17942-PCT		FOR FURTHER ACTION		See Form PCT/PEA/416
International application No. PCT/DK2004/000642		International filing date (day/month/year) 22.09.2004	Priority date (day/month/year) 29.09.2003	
International Patent Classification (IPC) or national classification and IPC H04M1/60, H04M1/05, H04L29/06, H04L12/28				
Applicant GN NETCOM A/S et al.				
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> sent to the applicant and to the International Bureau a total of 12 sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>				
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input checked="" type="checkbox"/> Box No. VIII Certain observations on the international application</p>				
Date of submission of the demand 29.07.2005		Date of completion of this report 18.11.2005		
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016		Authorized Officer de Biolley, L Telephone No. +31 70 340-3137		



INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/DK2004/000642

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This report is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:
 - ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

Description, Pages

1-10 filed with telefax on 29.07.2005

Claims, Numbers

1-11 filed with telefax on 29.07.2005

Drawings, Sheets

1/1 **as originally filed**

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/DK2004/000642

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	4-11
	No: Claims	1-3
Inventive step (IS)	Yes: Claims	6,10
	No: Claims	1-5,7-9,11
Industrial applicability (IA)	Yes: Claims	1-11
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item V.

- 1 The following document is referred to in this communication:
D1 : US 2002/090912 A1 (VESCHI JOHN P ET AL) 11 July 2002 (2002-07-11)
D2: US 2002/071549 A1 (LIANG WEN-KUANG) 13 June 2002 (2002-06-13)
D3: WO 00/72555 A (ADVANCED MOBILE SOLUTIONS INC) 30 November 2000
(2000-11-30)

2 INDEPENDENT CLAIM 1

- 2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.
Document D1 discloses (the references in parenthesis applying to this document):

A communication unit (fig. 1, ref. 100) adapted to be coupled to a plurality of master stations via a wireless connection (see paragraph 23 : "other piconet network devices"), said communication unit having a memory for storing identification keys (fig. 1, ref. 106), said master stations having an identification cell with an identification key (paragraph 36 "BD_ADDR"), wherein a coupling is established between one of the master stations and the communication unit, characterized in that at least one of the address fields of the communication unit is configured with an address field and an associated electrical lock (paragraph 37 : "passcode or pin", and that the address field may be overwritten only if a certain master station has a unique identification key to open the electrical lock (see paragraphs 37 and 38).

The subject-matter of claim 1 is not new (Article 33(2) PCT).

3 DEPENDENT CLAIMS 2-5, 7-9, 11

Dependent claims 2-5, 7-9, 11 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT). Concerning these claims, references to the following passages are of interest :

- a. Claims 2 and 3 : see D1, paragraphs 37-38.

- b. Claims 4, 5, 7, 9 and 11 : see D2, paragraphs 14, 15, 18 and fig. 1
- c. Claim 8 : see D3, page 7, lines 26-28.

4 DEPENDENT CLAIMS 6 AND 10

The combination of the features of dependent claims 6 or 10 is neither known nor rendered obvious by the available prior art.

Re Item VIII.

- 1 Claim 1 refers to "A communication unit ... adapted to be coupled to a plurality of master stations, (...) said master stations...". A lack of clarity arises since said claim not only define the communication unit in itself but also specify its relationship to the master stations which are not part of the claimed communication unit.
- 2 There is a lack of antecedence in claim 2 with "the fixed address field" because it has not been mentioned before. Thus this lack of antecedence causes a clarity problem (Article 6 EPC). For the purpose of this report, the occurrences of "address field" in claim 1 (page 11, lines 12 and 13) are understood as "fixed address field"
- 3 Claim 7 is not supported by the description as required by Article 6 PCT, as its scope is broader than justified by the description and drawings. The reasons therefor are the following: an IP coupling is not disclosed in the description.
- 4 There is an inconsistency in the description and the drawings between page 7, lines 13-15 (addresses are stored in the adapter master station) and page 8, line 6; page 5, line 30; fig. 1 (addresses are stored in the headset). This inconsistency causes a lack of clarity (Art. 6 PCT).
- 5 The terms "adapter master station" used in claims 5, 6, 8-11 are unclear and leave the reader in doubt as to the meaning of the technical features to which they refer, thereby rendering the definition of the subject-matter of said claim unclear, Article 6 PCT.
It is not clear what the technical differences are between the master stations and the adapter master stations.

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(SEPARATE SHEET)**

International application No.

PCT/DK2004/000642

Furthermore it seems that the master station 3 (ie. the fixed telephone set) is NOT a master station in the sense of claim 1 because it is not coupled wirelessly to the headset (ie, it is not part of the piconet 6 of figure 1). Thus, the following references signs in claim 1 (page 11, line 4) : "master station (2,3)" should be replaced by "master station (2)".

- 6 In figure 2, the arrow with reference 12 should be drawn between the headset (1) and the "adapter master station (4)" and not between the headset (1) and the telephone (3).